

REMARKS/ARGUMENTS

Claims 1-45 and 49-65 are canceled.

Claims 46-48 are amended.

Claims 49-65 are newly added.

Claims 46-48 and 66-82 are pending.

35 U.S.C. 112, Second Paragraph

Main claims 46-48 are rejected based on 35 U.S.C. 112, second paragraph, on the ground that main claims claim both apparatus and method step using the apparatus. In order to comply with the OA, main claims 46-48 are amended to delete the apparatus – the elements of the communication device which are the microphone, the speaker, the input device, the display, and the wireless communication system.

35 U.S.C. 101

Main claims 46-48 are amended in response to the OA. Namely, main claim 46 is amended as method claim by reciting the phone communication device remote controlling step; main claim 46 is amended as method claim by reciting the Internet communication device remote controlling step; and main claim 48 is amended as system claim by reciting the communication device remotely controlling system.

Main Claim 46

Main claim 46 was reject over Okamura.

In order to distinguish main claim 46 from Okamura, the scope of remotely controlling the communication device by phone is narrowed by this amendment.

Namely, in response to the user entering the user instruction by the phone, the

communication device receives a communication device controlling command via a network to which the communication device is connected in a wireless fashion. Further, the communication device implements a communication device controlling task in response to the communication device controlling command, thereby the communication device is remotely controlled via the user instruction entered by the phone, and thereby a communication device controlled notice which corresponds to the user instruction is output from the phone.

Okamura does not disclose that, in response to the user entering the user instruction by the phone, the communication device receives a communication device controlling command via a network to which the communication device is connected in a wireless fashion.

Okamura also does not disclose that the communication device implements a communication device controlling task in response to the communication device controlling command, thereby the communication device is remotely controlled via the user instruction entered by the phone, and thereby a communication device controlled notice which corresponds to the user instruction is output from the phone.

Therefore, main claim 46 is patentable.

Main Claim 47

Main claim 47 was rejected over Okamura and Hasebe.

In order to distinguish main claim 47 from Okamura and Hasebe, the scope of remotely controlling the communication device via the Internet is narrowed by this amendment. Namely, in response to the user entering the user instruction via the Internet, the communication device receives a communication device controlling command via a network to which the communication device is connected in a wireless fashion. Further,

the communication device implements a communication device controlling task in response to the communication device controlling command, thereby the communication device is remotely controlled via the user instruction entered via the Internet, and thereby a communication device controlled notice which corresponds to the user instruction is output via the Internet.

The combination of Okamura and Hasebe does not disclose that, in response to the user entering the user instruction via the Internet, the communication device receives a communication device controlling command via a network to which the communication device is connected in a wireless fashion.

The combination of Okamura and Hasebe also does not disclose that the communication device implements a communication device controlling task in response to the communication device controlling command, thereby the communication device is remotely controlled via the user instruction entered via the Internet, and thereby a communication device controlled notice which corresponds to the user instruction is output via the Internet.

Therefore, main claim 47 is patentable.

Main Claim 48

Main claim 48 was rejected over Okamura and Hasebe.

In order to distinguish main claim 48 from Okamura and Hasebe, the scope of remotely controlling the communication device by phone or via the Internet is narrowed by this amendment.

Namely, main claim 48, as narrowed by this amendment, recites the communication device remotely controlling means.

As stated in the amended main claim 48, in response to a user instruction being entered by a phone or via the Internet by a user, the communication device remotely controlling means transmits a communication device controlling command, which is transferred to the communication device via a network to which the communication device is connected in a wireless fashion.

Additionally, the amended main claim 48 states that the communication device implements a communication device controlling task in response to the communication device controlling command.

Further more, the amended main claim 48 states that, in response to the implementation of the communication device controlling task, the communication device remotely controlling means transmits a communication device controlling result, thereby a communication device controlled notice which corresponds to the user instruction is output from the phone or via the Internet.

The combination of Okamura and Hasebe does not disclose the communication device remotely controlling means.

The combination of Okamura and Hasebe does not disclose that, in response to a user instruction being entered by a phone or via the Internet by a user, the communication device remotely controlling means transmits a communication device controlling command, which is transferred to the communication device via a network to which the communication device is connected in a wireless fashion.

The combination of Okamura and Hasebe also does not disclose that the communication device implements a communication device controlling task in response to the communication device controlling command.

The combination of Okamura and Hasebe also does not disclose that, in response to the implementation of the communication device controlling task, the communication device remotely controlling means transmits a communication device controlling result, thereby

a communication device controlled notice which corresponds to the user instruction is output from the phone or via the Internet.

Therefore, main claim 48 is patentable.

Sub-claims 66-82 – Overall

Sub-claims 66-82 are patentable because the main claims 46-48 on which the sub-claims are dependent are patentable.

However, sub-claims 66-82 are further more patentable because of the following limitations:

Sub-claims 66, 71, and 77

Sub-claims 66, 71, and 77 recite that the user instruction indicates to deactivate the silent mode of the communication device, and the communication device controlled notice indicates that the silent mode is deactivated.

This limitation is completely foreign to Okamura, Hasebe, and other cited prior art.

Sub-claims 72 and 78

Sub-claims 72 and 78 recite that the user instruction indicates to deactivate the silent mode of the communication device and output audio data from the speaker, and the communication device controlled notice indicates that the silent mode is deactivated and audio data is output from the speaker.

This limitation is completely foreign to Okamura, Hasebe, and other cited prior art.

Sub-claims 67, 73, and 79

Sub-claims 67, 73, and 79 recite that the user instruction indicates to output audio data from the speaker, and the communication device controlled notice indicates that audio

data is output from the speaker.

This limitation is completely foreign to Okamura, Hasebe, and other cited prior art.

Sub-claims 68, 74, and 80

Sub-claims 68, 74, and 80 recite that the user instruction indicates to change password pertaining to the communication device, and the communication device controlled notice indicates that password pertaining to the communication device is changed.

This limitation is completely foreign to Okamura, Hasebe, and other cited prior art.

Sub-claims 69, 75, and 81

Sub-claims 69, 75, and 81 recite that the user instruction indicates to lock the communication device, and the communication device controlled notice indicates that the communication device is locked.

This limitation is completely foreign to Okamura, Hasebe, and other cited prior art.

Sub-claims 70, 76, and 82

Sub-claims 70, 76, and 82 recite that the user instruction indicates to power off the communication device, and the communication device controlled notice indicates that the communication device is powered off.

This limitation is completely foreign to Okamura, Hasebe, and other cited prior art.

Conclusion

For all of the above reasons, applicant submits that the claims all define patentably over the cited prior art. Therefore, applicant submits that this application is now in condition for allowance, which action applicant respectfully solicits.

Conditional Request For Constructive Assistance

Applicant has amended the claims so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that applicant can place this application in allowable condition as soon as possible and without the need for further proceedings.

Misc.

For the avoidance of doubt, each function and/or mode described in the claims presented in this amendment is capable to be implemented individually.

For the avoidance of doubt, the mode(s) and/or function(s) capable to be implemented by the communication device described in the claims presented in this amendment is/are not limited to the one(s) described in the claims, i.e., the communication device is capable to implement the mode(s) and/or function(s) other than the mode(s) and/or function(s) described in the claims.

For the avoidance of doubt, canceling the claims of this application or other applications filed by applicant or the same inventor does not indicate applicant's admission that the invention(s) described in the canceled claims is/are not patentable.

For the avoidance of doubt, abandoning this application or other applications filed by applicant or the same inventor does not indicate applicant's admission that the invention(s) described therein is/are not patentable.

Applicant has no intent to limit the scope of the claims presented in this amendment by the examples (if any) described in this amendment.

Applicant has no intent to limit the scope of the claims presented in this amendment by the previous amendment(s) (if any) and/or the previous proposed amendment(s) (if any) submitted by applicant or the same inventor.

Applicant has no intent to surrender any equivalent of any element included in the claims by any amendment(s) (if any) and/or any proposed amendment(s) (if any), whether previously or subsequently submitted to this amendment, unless expressly and unambiguously stated otherwise in the amendment(s).

Applicant has no intent to limit the scope of the claims or deny the patentability of this application by other applications filed by applicant or the same inventor.

Applicant has no intent to limit the scope of the claims or deny the patentability of other applications filed by applicant or the same inventor by this application.

For the avoidance of doubt, the number of the prior arts disclosed in the IDS of this application may be of a large one, however, applicant has no intent to hide the more relevant prior art(s) in the less relevant ones.

For the avoidance of doubt, the number of the prior arts disclosed in the IDS of other applications filed by applicant or the same inventor may be of a large one, however, applicant or the same inventor has no intent to hide the more relevant prior art(s) in the less relevant ones.

For the avoidance of doubt, filing a terminal disclaimer for this application or other applications filed by applicant or the same inventor, if any, is not an admission of negating the patentability thereof.

For the avoidance of doubt, any description in this application or other applications filed by applicant or the same inventor indicating that the invention provides a device capable to implement a plurality of functions where each of the plurality of functions was implemented by an individual device in the prior art merely expresses the multiple functionality of the communication device, and should not be treated as an admission of negating the patentability of the inventions described in this application or other applications filed by applicant or the same inventor, whether this description was/is/will be made in the past, present, or even in the future.

For the avoidance of doubt, the abstract of this application is illustrated in the manner for

the readers to conveniently understand the image of the present invention and thereby only a portion of the subject matter of the present invention is described therein.

Therefore, the scope of each claim should not be limited by the description of the abstract.

No new matter is added by this amendment.